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SUBJECT: PRM A/S SAUERBREY MEETS WITH INTERNATIONAL ORGANIZATIONS IN
HANOI

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Summary

¶1. (SBU) On February 5, Assistant Secretary of State for Population, Refugees and Migration Ellen Sauerbrey met separately with representatives of UNHCR and the International Organization for Migration (IOM) in Hanoi. In her UNHCR meeting, UNHCR officials discussed in familiar terms the organization's activities in the Central Highlands and its positive assessment of the situation facing returnees. On the issue of a possible program to process returnees for resettlement from Vietnam, UNHCR Deputy Regional Representative Giuseppe de Vincentis opined that such a program might encourage ethnic minorities to cross into Cambodia in order to be deported back to Vietnam and have the opportunity to be resettled in the United States. Any program would need very specific time or other criteria to prevent this. PRM program officer Kathleen Sheehan noted that an alternative to such a program would be to make use of the Embassy in-country referral process for those individuals who need resettlement consideration after they return to Vietnam. De Vincentis also briefly discussed statelessness in Vietnam, as well as the situation facing the Vietnamese Hmong in Thailand, noting GVN trepidation about resettling the entire group to the United States.

¶2. (SBU) IOM Chief of Mission Andrew Bruce assessed that GVN anti-trafficking plans and other social programs are good, but the ministries and agencies involved do not coordinate well and have been slow to implement them. GVN capacity to deal with trafficking-in-persons remains limited, but it has the potential for broad outreach, and it generally welcomes international assistance to address social problems. The Assistant Secretary also discussed with IOM the issues of education in Vietnam, population policy, prostitution and sex tourism. End Summary.

Returnees

¶3. (SBU) On February 5, PRM Assistant Secretary Ellen Sauerbrey met with UNHCR Deputy Regional Representative Giuseppe de Vincentis and UNHCR Vietnam Chief of Mission Vu Anh Son. The UNHCR officials described for the A/S UNHCR's returnee monitoring activities, noting that UNHCR has seen 80 percent of the returnees at least once. Most of their efforts have focused on Gia Lai Province, where most of the ethnic minority returnees reside. UNHCR assesses that Montagnard Foundation head Kok Ksor's own Gia Lai provenance and ongoing connections to the province are behind Gia Lai's prominence in this area. UNHCR believes that most ethnic minorities crossed into Cambodia not for religious or political reasons, but for other reasons, such as "seeking a better life," de Vincentis said.

14. (SBU) Although UNHCR initially lacked access to the Central Highlands, "there has been major progress," de Vincentis continued. Whereas once a large official entourage traveled with the UNHCR representatives, now private meetings are possible. There have been no complaints from returnees about being singled out for mistreatment, and a number of returnees have complained of "monitoring fatigue," in which the stream of monitoring missions has been disruptive and a distraction. That said, an EU mission to the Central Highlands had found some indication of possible mistreatment, but UNHCR attempts to follow up have been fruitless because the individual in question has "disappeared," de Vincentis said.

15. (SBU) In response to a question from PRM Program Officer Kathleen Sheehan, de Vincentis said that there is precedence for the GVN's informing UNHCR about returnee arrests. To date, two returnees have been arrested (with one sentenced to jail and the other freed), and the GVN notified UNHCR about both cases, granting access to the individual who was convicted and jailed for human trafficking. On a number of occasions, Human Rights Watch presented information on returnees who were reportedly mistreated or jailed, but UNHCR, in meeting directly with either the individuals concerned or their families, never substantiated any of these allegations, the UNHCR representative explained. In response to A/S Sauerbrey's question about the problem of translation, particularly between English, Vietnamese and the ethnic minority language, de Vincentis explained that in every family, there are usually one or two individuals who can speak Vietnamese, ensuring that the correct message gets across.

16. (SBU) On the subject of microprojects, de Vincentis said that progress in this area is another sign of Vietnamese openness. Although local authorities were initially reluctant to allow a foreign government-funded project in their district, now there are more project proposals than available funding. As part of this, the EU has agreed to fund a kindergarten. Describing her own visit to

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the Central Highlands, A/S Sauerbrey noted that the village headman whom she met seemed very interested in learning about how his former village residents are faring in the United States and said that those who were resettled can provide valuable remittances and, in case they return, skills to their former places of residence.

17. (SBU) De Vincentis explained that there is not "a generalized refugee producing situation" in the Central Highlands. Instead, every individual has had a specific reason for crossing into Cambodia, although these reasons do not usually equate to a refugee claim. Before UNHCR was able to conduct monitoring missions in the Central Highlands, the refugee recognition rate in Cambodia was 100 percent. Now, based on access to the region, information and a better understanding of the situation on the ground, the rate has fallen to around 15 percent. For those who have been rejected, they have the ability to request an appeal. In the end, those who do not appeal or fail their appeal either voluntarily return to Vietnam or are forcibly returned (to date, approximately half of the returnees were forcibly returned). UNHCR monitors both types of returnees, and those who were forcibly returned tend to be more bitter, de Vincentis explained. Nevertheless, UNHCR has detected no difference in how these two types of returnees have been treated since they came home.

18. (SBU) In response to A/S Sauerbrey's question about the effect of a possible program in Vietnam to consider returnees for resettlement in the United States, de Vincentis opined that such a program "might encourage people to leave Vietnam just to get deported back in order to take advantage of the resettlement opportunity." Such a program would need specific time or other criteria to mitigate against this happening. Unless a specific group within a specific timeframe were targeted, it could be like "opening Pandora's box," de Vincentis suggested. As an alternative, PRM program officer Sheehan recommended greater use of the Embassy in-country referral system. UNHCR confirmed that they would be happy to alert the U.S. Mission to cases that should be referred via this system.

Statelessness

¶19. (SBU) Asked to discuss briefly the issue of statelessness in Vietnam, de Vincentis said that, in the 1970's, approximately 9,000 Cambodians fled the Khmer Rouge and settled in southern Vietnam. Since 1994, there has been little international interest in this group and the GVN has made no effort to naturalize them. As a result, they have no official status, making it difficult for them to own property or otherwise function in Vietnam. To remedy this, UNHCR has recently restarted its discussions with the GVN on this matter. The other group facing the problem of statelessness is made up of Vietnamese women who marry Chinese or Taiwanese men, give up their Vietnamese citizenship and, before they gain Chinese or Taiwanese citizenship, divorce their husbands and return to Vietnam.

UNHCR has also been working with the GVN and some in the international community to address this problem, de Vincentis explained. A/S Sauerbrey indicated that PRM is very interested in the statelessness issue and is ready to work with all concerned parties to solve this problem.

Vietnamese Hmong

¶10. (SBU) De Vincentis described for A/S Sauerbrey the state of play of the Vietnamese Hmong currently in Thailand. Although the RTG had initially sought to deport the 42 Hmong back to Vietnam, UNHCR worked with both the Thais and Vietnamese to prevent this and allow UNHCR to resettle them (and their families, totaling 68 people). The GVN had expressed concern about the entire group's resettlement in the United States, but reluctantly accepted UNHCR's explanation that, for expediency's sake, U.S. resettlement was the best course of action. Nonetheless, GVN trepidation about the possible "pull factor" of this resettlement remains. De Vincentis said that the GVN will allow UNHCR to conduct a mission to Lao Cai Province (in the northwest) to learn more about why and how this group left Vietnam.

Implementation of Anti-trafficking and Refugee Programs

¶11. (SBU) Also on February 5, A/S Sauerbrey met separately with Andrew Bruce, IOM Chief of Mission in Vietnam. Responding to the Assistant Secretary's question about whether there are gaps in the GVN's anti-trafficking plans, Bruce stated that the "Action Plan is good," but the GVN's efforts to operationalize it is problematic. Another problem for the Plan's implementation is coordination with neighboring countries. For example, the Ministry of Public Security (MPS) has responsibility for coordination on the Vietnamese side,

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whereas the Cambodian Women's Union is responsible on its side of the border, which has led to a significant cultural clash, Bruce explained.

¶12. (SBU) The Assistant Secretary asked if there are any regular coordination meetings for all actors in the GVN concerned with refugee and trafficking issues. IOM staff replied that there have not been any to date; however, international NGOs and other organizations have been coordinating better in the last few years. Bruce noted that Vietnam's police culture -- in which it is not customary to work with other agencies -- makes coordination cumbersome. Indeed, the Vietnamese police are used to controlling an issue rather than consulting on one. However, the new senior colonel in charge of the trafficking issue for the police has shown promising signs that he may be willing consult more, Bruce noted.

IOM's Position in Vietnam

¶13. (SBU) Responding to A/S Sauerbrey's question about whether IOM is a welcome presence in Vietnam, IOM staff stated that the GVN seems to really appreciate international help in the TIP fight. Over the last three years, even the MPS has become a good interlocutor on the issue. The DCM noted that there is a clear GVN policy to bring together people and agencies to fight trafficking,

but international actors need to continue to chip away at the Vietnamese police culture of resisting consultation with other Vietnamese and foreign actors.

Education

¶14. (SBU) On the subject of education in Vietnam, IOM staff stated that Vietnamese primary schools are divided into two sections -- morning and afternoon -- and most children attend school until age 11 to explain the children A/S Sauerbrey saw on the streets in the Central Highlands. Only seven or eight percent of school-age children do not attend primary school, and most who do not attend are either disabled children or ethnic minority children from remote, impoverished regions. However, fewer children attend secondary school in Vietnam because there are added fees for schoolbooks and other expenses that reduce parents' inclination to send their children to school. Literacy remains over 90 percent because of compulsory education; however, those without secondary education are only functionally literate, the IOM staff added.

¶15. (SBU) IOM COM Bruce noted that access to education is also an internal migration issue because internal migrants often have lower priority for social services compared to registered residents. For example, there are an estimated 70,000 migrants living in Ho Chi Minh City (HCMC). Fortunately, Bruce noted, HCMC is now the only place in Vietnam where - by local regulation -- education and social services are not dependent on residency.

Social Issues and Population Policy

¶16. (SBU) The Assistant Secretary asked whether the GVN's two-child policy is coercive. IOM staff stated that it is very hard for the GVN to get a handle on population policy. Until recently, they did exhort citizens to limit families to two children; however, this policy was not coercive, although there were theoretical economic penalties for having more than two children. Enforcement of the two-child policy is largely confined to visits by "government collaborators" to advise families with two children to resist the inclination to have more. The collaborators (who are usually elderly local residents) encourage the couple to use contraception. Single parents or adolescents are not considered under this population program, IOM staff added.

¶17. (SBU) IOM staff said that the GVN mostly relaxed the two-child policy three or four years ago, but, despite this, there are relatively few large families in the north because of the long history of population education. There are many large families (up to eight children) in the south, however. Official population growth rose to 2.3 percent from 2.11 percent in the last year, which has concerned some officials. It is not known if this rise is the result of the GVN's relaxed policy or whether it is an artifact of a new statistical method, IOM staff said. Lack of data is a major problem, Bruce added.

GVN Laws against Prostitution

¶18. (SBU) On the subject of legal action against prostitution, IOM Staff stated that prostitution falls under the GVN'S "social evils"

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laws, which in theory make prostitutes (along with drug users) the victims of criminals and not criminals themselves. However, this has led to the common perception of prostitutes as "social evils" in and of themselves, especially because of the GVN's extensive campaign to stigmatize social evils and because prostitution is "not valued culturally." About three years ago the GVN also criminalized the legal status of pimps and brothel owners. However, despite some occasional police raids of large brothels, there have been few prosecutions, as the laws only changed the way brothels operated. One reason is that prostitutes working at massage parlors and karaoke bars now quickly leave with their male clients and engage in sex away from their establishments. There is little enforcement of the laws against sex clients because many "johns" are government

officials and prominent businessmen, IOM staff said.

¶19. (SBU) In theory, women who are arrested as prostitutes are sent for rehabilitation to the GVN's "05" centers for six months (or two years if HIV positive), IOM staff continued. However, it is not clear how often this is enforced. In HCMC and Hanoi, there are intermediate detention centers where a decision is made whether to detain women in the "05" centers. Non-resident women are more likely to be incarcerated than locals. There has not been a concerted effort to identify arrested prostitutes who have been trafficked internally, and most don't appear to have been trafficked, although there is anecdotal evidence that such trafficking exists, IOM added.

Sex Tourism

¶20. (SBU) The Assistant Secretary asked if there have been any instances of AmCit sex tourism in Vietnam. The DCM noted that there are several cases of pedophilia involving American citizens under investigation, but the numbers are low (although they may be rising since the RTG began cracking down on pedophiles). Bruce noted that there is a significant problem with Japanese, Korean and Taiwanese sex tourism in Vietnam. IOM staff noted, however, that Vietnam's requirement that all tourists staying in hotels register their passports may be a reason that pedophiles have stayed away from Vietnam, particularly since Laos and Cambodia have looser registration requirements. Unfortunately, many short-stay hotels in Vietnam are geared towards prostitution and do not require registration. It is only a matter of time before word gets out that pedophiles do not need to register to have sex with children, IOM staff lamented.

Vietnamese Capacity

¶21. (SBU) The Assistant Secretary noted that the Vietnam Women's Union of Quang Ninh Province gave her an impressive briefing on February 4 in Halong City, but asked if the Union is really able to replicate its anti-trafficking programs in other Vietnamese communities. IOM staff responded that the GVN has not really addressed the issue of trafficking until recently, so the capacity of organizations like the Women's Union to enact programs remains low. That said, the Women's Union is a national organization and therefore has a broad network and a broad potential for outreach.

¶22. (SBU) Assistant Secretary Sauerbrey has cleared this message.

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